EXHIBIT 36

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```
 1              UNITED STATES DISTRICT COURT

 2                  DISTRICT OF NEVADA

 3    _____

 4   ORACLE USA, INC., a Colorado          )

 5   corporation; ORACLE AMERICA, INC.,    )

 6   a Delaware corporation; and           )

 7   ORACLE INTERNATIONAL CORPORATION,     )

 8   a California corporation,             ) No. 2:10-cv-00106-

 9              Plaintiffs,                ) LRH-PAL

10   vs.                                   )

11   RIMINI STREET, INC., a Nevada         )

12   corporation; SETH RAVIN, an           )

13   individual,                           )

14              Defendants.                )

15   _____)

16

17     * * * HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY * * *

18

19       Videotaped Deposition of JEFF ALLEN, taken at

20       the Hilton Seattle Airport, 17620 International

21       Boulevard, Seattle, Washington, commencing at

22       8:58 a.m., Tuesday, October 18, 2011, before

23       Donald W. McKay, RMR, CRR, CCR No. 3237.

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25   PAGES 1 - 279
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2

1   Seattle, Washington; Tuesday, October 18, 2011
2   8:58 a.m.
3   08:57:48
4   THE VIDEOGRAPHER: Good morning. We are on   08:57:48
5   the record at 8:58 a.m , on October 18, 2011. This is   08:57:49
6   the videotape deposition of Jeff Allen. My name is   08:57:55
7   Patrick Norton, here with our court reporter, Donald   08:57:58
8   McKay. We are here from Veritext National Deposition   08:58:00
9   and Litigation Services at the request of counsel for   08:58:03
10 plaintiffs.   08:58:06
11   This deposition is being held at 17620   08:58:06
12 International Boulevard, in the City of Sea-Tac,   08:58:12
13 Washington. The caption of this case is Oracle USA,   08:58:15
14 et al., versus Rimini Street, Inc., et al., Case   08:58:18
15 No. 2:10-cv-00106-LRH-PAL.   08:58:21
16   Please note that audio and video recording   08:58:27
17 will take place unless all parties agree to go off the   08:58:32
18 record. Microphones are sensitive and may pick up   08:58:35
19 whispers, private conversations, and cellular   08:58:38
20 interference.   08:58:41
21   At this time, will counsel and all present   08:58:42
22 identify themselves for the record.   08:58:43
23   MR. POLITO: John Polito for the plaintiffs.   08:58:44
24   MR. RECKERS: Rob Reckers for the defendants.   08:58:47
25   THE VIDEOGRAPHER: Thank you. The witness   08:58:49

3

1   will be sworn and we can proceed.   08:58:50
2
3   JEFF ALLEN   called as a witness in the
4   above-entitled cause, being
5   first duly sworn, testified
6   as follows:
7
8   E X A M I N A T I O N
9   BY MR. POLITO:
10   Q   Good morning, Mr. Allen.   08:59:02
11   A   Good morning, Mr. Polito.   08:59:03
12   Q   Polito.   08:59:05
13   A   Polito.   08:59:06
14   Q   Mr. Allen, have you had your deposition taken   08:59:07
15 before?   08:59:11
16   A   No, I have not.   08:59:11
17   Q   I'm sure you've been ably prepared by   08:59:12
18 Mr. Reckers, but I want to remind you that even though   08:59:14
19 we're here in a conference room in an informal setting,   08:59:17
20 the oath that you just took has the same force and   08:59:21
21 effect as if we were sitting in a courtroom right now.   08:59:24
22 Do you understand that?   08:59:27
23   A   Yes, I do.   08:59:27
24   Q   I'm going to go over a few of the rules of the   08:59:31
25 road. The court reporter can take down audible   08:59:33

4

1   responses, so please respond audibly rather than by   08:59:35
2   shaking your head.   08:59:39
3   A   Yes.   08:59:39
4   Q   The court reporter can only take down one   08:59:41
5   person talking at a time, so please, even if you know   08:59:43
6   what I'm going to say in my question or at least think   08:59:45
7   you do, let me finish my question before you respond.   08:59:48
8   A   We covered that yesterday.   08:59:51
9   Q   The court reporter is making a transcript.   08:59:54
10 You'll have the opportunity to comment on and make   08:59:56
11 changes on your transcript. But any changes that you   08:59:58
12 make, either party can talk about those at trial. Do   09:00:00
13 you understand that?   09:00:03
14   A   Understood.   09:00:04
15   Q   If you don't understand a question that I ask   09:00:06
16 you, please speak up and let me know.   09:00:08
17   A   I will.   09:00:11
18   Q   Do you have any physical or mental conditions   09:00:13
19 that would interfere with your ability to give your best   09:00:15
20 testimony today?   09:00:18
21   A   No.   09:00:18
22   Q   What did do you to prepare for today's   09:00:23
23 deposition?   09:00:25
24   A   I had a meeting with Rob here.   09:00:26
25   Q   When was that?   09:00:29

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Veritext National Deposition & Litigation Services
866 299-5127

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1   MR. RECKERS: Again, let me instruct the   09:04:26
2   witness -- caution the witness not to reveal the   09:04:28
3   contents of any attorney-client communications. If you   09:04:30
4   can answer the question without revealing the contents   09:04:32
5   of the communication, please go ahead. If not, then   09:04:35
6   please do not answer.   09:04:39
7   THE WITNESS: It was -- it was personal notes   09:04:42
8   specific to guide and set my mental state.   09:04:51
9   BY MR. POLITO: 09:04:59
10   Q   Your mental state for today's deposition?   09:04:59
11   A   Correct.   09:05:01
12   Q   Were those notes meant to help you be in the   09:05:08
13   proper state for today's deposition?   09:05:13
14   MR. RECKERS: Again, I'm going to caution the   09:05:17
15   witness not to reveal the contents of any   09:05:19
16   attorney-client communications. We're getting close   09:05:20
17   here to questions that by design are going to reveal   09:05:23
18   some mental impression. I'll allow him to answer yes or   09:05:28
19   no, if he can, but you're sort of getting to the end of   09:05:31
20   what I think is discoverable.   09:05:36
21   THE WITNESS: Would you repeat the question,   09:05:37
22   please.   09:05:37
23   BY MR. POLITO: 09:05:37
24   Q   Sure. And I'm going to say on the record that   09:05:39
25   it sounds to me like you were given instructions by   09:05:40

                                                            10

1   counsel that you wrote down in preparation for your   09:05:42
2   deposition. So, on that basis, I'll just ask, what was   09:05:43
3   the list?   09:05:45
4   MR. RECKERS: I'm going to instruct the   09:05:46
5   witness not to answer on the basis on privilege.   09:05:48
6   BY MR. POLITO: 09:05:50
7   Q   Are you going to take your counsel's advice?   09:05:51
8   A   Of course I'm going to take my counsel's   09:05:53
9   advice.   09:05:55
10   Q   Other than the e-mails, the IMs and the notes   09:06:00
11   that you created, did you review any other types of   09:06:07
12   documents during your preparation for this deposition?   09:06:09
13   A   No.   09:06:11
14   Q   Did you bring anything besides documents that   09:06:13
15   would help you answer questions today?   09:06:16
16   A   Nothing.   09:06:17
17   Q   Is it fair to say that you have the   09:06:21
18   instructions memorialized in the list from Mr. Reckers   09:06:23
19   in your head right now?   09:06:27
20   A   No.   09:06:28
21   Q   Mr. Allen, you're a software engineer?   09:06:33
22   A   That is correct.   09:06:36
23   Q   Approximately how long have you been a   09:06:37
24   professional software engineer?   09:06:39
25   A   Since 1982.   09:06:40

                                                            11

1   Q   You graduated from Mass Amherst in 1981?   09:06:43
2   A   I graduated from -- I received a degree from   09:06:47
3   UMass Amherst in 1980.   09:06:51
4   Q   You were at PeopleSoft from approximately 1998   09:06:54
5   to 2004?   09:06:58
6   A   That is correct.   09:06:59
7   Q   What was your -- what was the last position   09:07:00
8   that you held at PeopleSoft?   09:07:03
9   A   I was a technical writer.   09:07:04
10   Q   Were you a technical writer for the duration   09:07:07
11   of your employment by PeopleSoft?   09:07:10
12   A   No.   09:07:11
13   Q   Prior to being a technical writer, what was   09:07:12
14   your role at PeopleSoft?   09:07:15
15   A   My immediately preceding role was consultant.   09:07:17
16   Q   A consultant employed by PeopleSoft?   09:07:21
17   A   Correct.   09:07:23
18   Q   To work for PeopleSoft's clients?   09:07:23
19   A   Correct.   09:07:27
20   Q   When you were a technical writer, were you   09:07:27
21   writing about any particular PeopleSoft software?   09:07:30
22   A   I was writing curricula for education   09:07:32
23   services.   09:07:38
24   Q   Services provided to educate PeopleSoft's   09:07:40
25   clients about the product?   09:07:43

                                                            12

1   A   Education services teaches -- taught   09:07:44
2   PeopleSoft classes. I wrote the curriculum for a number   09:07:47
3   of those classes.   09:07:51
4   Q   Did you write any curricula relating to the   09:07:52
5   HRMS product?   09:07:55
6   A   No.   09:07:57
7   Q   Did you write any of the curricula related to   09:07:57
8   the financials product?   09:07:59
9   A   No.   09:08:00
10   Q   For which products did you write curricula?   09:08:01
11   A   I wrote curricula for underlying tools. So I   09:08:04
12   wrote a guide for server administration. I edited and   09:08:10
13   updated a guide for SQR, for application engine, and   09:08:16
14   some similar tools.   09:08:20
15   Q   So, going in reverse order, application engine   09:08:24
16   is part of PeopleTools?   09:08:26
17   A   Correct.   09:08:29
18   Q   What versions of PeopleTools were you writing   09:08:29
19   about, as you can recall?   09:08:32
20   A   8.1. And the last version I wrote for was 8.42.   09:08:33
21   Q   While still employed at PeopleSoft?   09:08:40
22   A   Correct.   09:08:42
23   Q   SQR -- you wrote a guide for the SQR   09:08:48
24   programming language?   09:08:51
25   A   Correct.   09:08:52

                                                            13

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1   Q   At that time, had PeopleSoft purchased the SQR   09:08:53
2   programming language, to the best of your knowledge?   09:08:56
3   A   I don't recall.   09:08:58
4   Q   And you wrote a guide for server administration.   09:09:02
5   Was that specifically related to the administration of   09:09:04
6   servers running PeopleSoft software?   09:09:06
7   A   Correct.   09:09:08
8   Q   Can you be any more specific about the subject   09:09:10
9   matter?   09:09:12
10   A   It had to do with the installation,   09:09:15
11   configuration, and operation of application servers, web   09:09:20
12   servers and process scheduler servers.   09:09:26
13   Q   By "process scheduler servers," do you mean   09:09:33
14   the process scheduling that is part of the PeopleSoft   09:09:36
15   product?   09:09:38
16   A   Correct.   09:09:38
17   Q   Which is also part of PeopleTools?   09:09:39
18   A   Correct.   09:09:41
19   Q   Generally speaking, is it fair to say that all   09:09:44
20   of the subject matter that you've described relates to   09:09:46
21   PeopleTools --   09:09:49
22   A   Correct.   09:09:49
23   Q   -- rather than relating to any of the specific   09:09:50
24   PeopleSoft products?   09:09:52
25   A   It's a reasonable -- that's a reasonable   09:09:53

14

1   conclusion.   09:09:55
2   Q   Is there a better conclusion?   09:09:57
3   A   None that immediately comes to mind.   09:09:59
4   Q   When you were a consultant, can you describe   09:10:09
5   the PeopleSoft software with which you worked.   09:10:12
6   A   I worked in the PeopleSoft -- for the   09:10:16
7   PeopleSoft HR E&G group, engineering and government --   09:10:19
8   excuse me -- education and government group. And I   09:10:24
9   worked on several assignments, implementations,   09:10:27
10   primarily in California.   09:10:31
11   So, in particular, I was part of an   09:10:33
12   implementation at California State University   09:10:39
13   Northridge, and I assisted in an implementation at   09:10:43
14   California State University Los Angeles.   09:10:52
15   Q   As you sit here today, do you know whether any   09:10:53
16   of the customers for whom you assisted during your time   09:10:56
17   as a PeopleSoft consultant are now Rimini Street   09:10:58
18   customers?   09:11:02
19   A   I believe not.   09:11:02
20   Q   Education and government was formerly called   09:11:13
21   Public Sector for the 7.0 release. Is that right?   09:11:16
22   A   It may have been. I don't recall.   09:11:19
23   Q   Starting with the 8.0 release, is it correct   09:11:27
24   that there was no longer a separate education and   09:11:29
25   government release?   09:11:32

15

1   A   I don't recall.   09:11:33
2   Q   Prior to being a PeopleSoft consultant, what   09:11:33
3   were you doing at PeopleSoft?   09:11:36
4   A   I was a trainer.   09:11:37
5   Q   What was the subject matter about which you   09:11:40
6   provided training, generally speaking?   09:11:42
7   A   Exactly the same subject matter I wrote   09:11:44
8   curricula for later on.   09:11:47
9   Q   PeopleTools.   09:11:49
10   A   Correct.   09:11:50
11   Q   And prior to being a trainer at PeopleSoft?   09:11:51
12   A   I worked as a systems programmer for the   09:11:54
13   Washington Education Association.   09:11:57
14   Q   Where did you go after you left PeopleSoft?   09:12:07
15   A   I spent a year attempting to start my own   09:12:10
16   business, which was not successful. And after that, I   09:12:17
17   acquired a position working with Blue Heron Consulting.   09:12:20
18   Q   What was the nature of your work at Blue Heron   09:12:26
19   Consulting?   09:12:29
20   A   I assisted in writing interface programs for a   09:12:29
21   Blue Heron client in Tri-Cities, Washington. Richland,   09:12:35
22   Washington.   09:12:43
23   Q   As you sit here today, did that project -- did   09:12:48
24   that work involve any Oracle software?   09:12:53
25   A   It was using the customer care and maintenance   09:12:55

16

1   program which PeopleSoft had purchased from -- I can't   09:13:01
2   remember the name of the company. It was a Philippine   09:13:06
3   company that produced it originally. But I worked on   09:13:08
4   that product, and specifically I was working on updating   09:13:11
5   SQRs that they used for various types of banking and   09:13:18
6   data exchange interfaces.   09:13:25
7   Q   Is that the product that's now known as   09:13:26
8   PeopleSoft CRM?   09:13:29
9   A   I don't think so. I think it's different.   09:13:31
10   Q   Do you know if that product is still active   09:13:35
11   today?   09:13:37
12   A   I am -- I haven't corresponded with that   09:13:39
13   client in over two years.   09:13:43
14   Q   Let me ask it slightly differently. Do you   09:13:45
15   know whether Oracle still sells the product that you're   09:13:48
16   talking about?   09:13:50
17   A   No, I don't.   09:13:50
18   Q   Did you join Rimini Street from Blue Heron?   09:13:55
19   A   Yes, but not from that particular engagement.   09:13:58
20   Q   It was a general consulting engagement?   09:14:02
21   A   No. Actually, after Blue Heron, I spent   09:14:06
22   almost two years working for SunGuard Higher Education.   09:14:08
23   Q   Doing what?   09:14:12
24   A   Supporting various of their clients who were   09:14:15
25   using PeopleSoft software.   09:14:21

17

1   Q   Which software specifically?   09:14:24
2   A   PeopleSoft Student Administration.   09:14:28
3   Q   Do you recall what versions of PeopleSoft   09:14:34
4   Student Administration?   09:14:36
5   A   I believe, at the time, they were running 8.2,   09:14:41
6   8.3. It was focused mostly on the tools side.   09:14:46
7   Q   So the tools would have been PeopleTools 8.2.   09:14:52
8   A   I believe so.   09:14:56
9   Q   Because as far as I'm aware -- do you know   09:14:57
10   whether -- would you agree with me there is no such   09:14:59
11   thing as Student Administration 8.2?   09:15:02
12   A   I worked on the product for those clients and   09:15:05
13   it was quite some time ago.   09:15:08
14   Q   Approximately three years ago?   09:15:12
15   A   It would have been, actually, about four.   09:15:16
16   Q   After your work with Student Administration,   09:15:21
17   you joined Rimini Street?   09:15:23
18   A   No. I rejoined Blue Heron Consulting for   09:15:24
19   another engagement.   09:15:27
20   Q   I'm sorry. You said that.   09:15:28
21   What was your last engagement?   09:15:29
22   A   They had a client, Cascade Natural Gas, in   09:15:30
23   Seattle; and I spent about three months there, doing   09:15:33
24   what was really the lead-up to an eventual   09:15:38
25   implementation of the -- I can't remember the name of   09:15:44

                                                     18

1   the product now. It was odd, because it was not -- it   09:15:49
2   was not PeopleTools based; it was entirely COBOL based.   09:15:53
3   But it was a utility management program that was sold by   09:16:00
4   Oracle.   09:16:03
5   Q   But you don't recall the name?   09:16:04
6   A   I don't recall the name.   09:16:06
7   I recall looking at a lot of COBOL code that   09:16:08
8   was associated with trying to track the needs of the   09:16:14
9   utility.   09:16:17
10   Q   And after that engagement?   09:16:18
11   A   I joined Rimini Street.   09:16:19
12   Q   Why did you leave PeopleSoft in 2004?   09:16:24
13   A   I left PeopleSoft in 2004 because they felt   09:16:30
14   that my performance was not sufficient.   09:16:34
15   Q   Who was your manager when you left PeopleSoft?   09:16:39
16   A   The name escapes me. It was a woman who was   09:16:46
17   hired immediately before my termination.   09:16:50
18   Q   Do you recall the name of your manager prior   09:16:53
19   to that person?   09:16:55
20   A   It would have been -- I believe it was Joe   09:16:56
21   Young.   09:17:03
22   Q   For how many years have you been working with   09:17:21
23   PeopleSoft software specifically?   09:17:24
24   A   For most of -- for most of the last 12 years.   09:17:31
25   Q   Is it fair to say that prior to joining Rimini   09:17:39

                                                     19
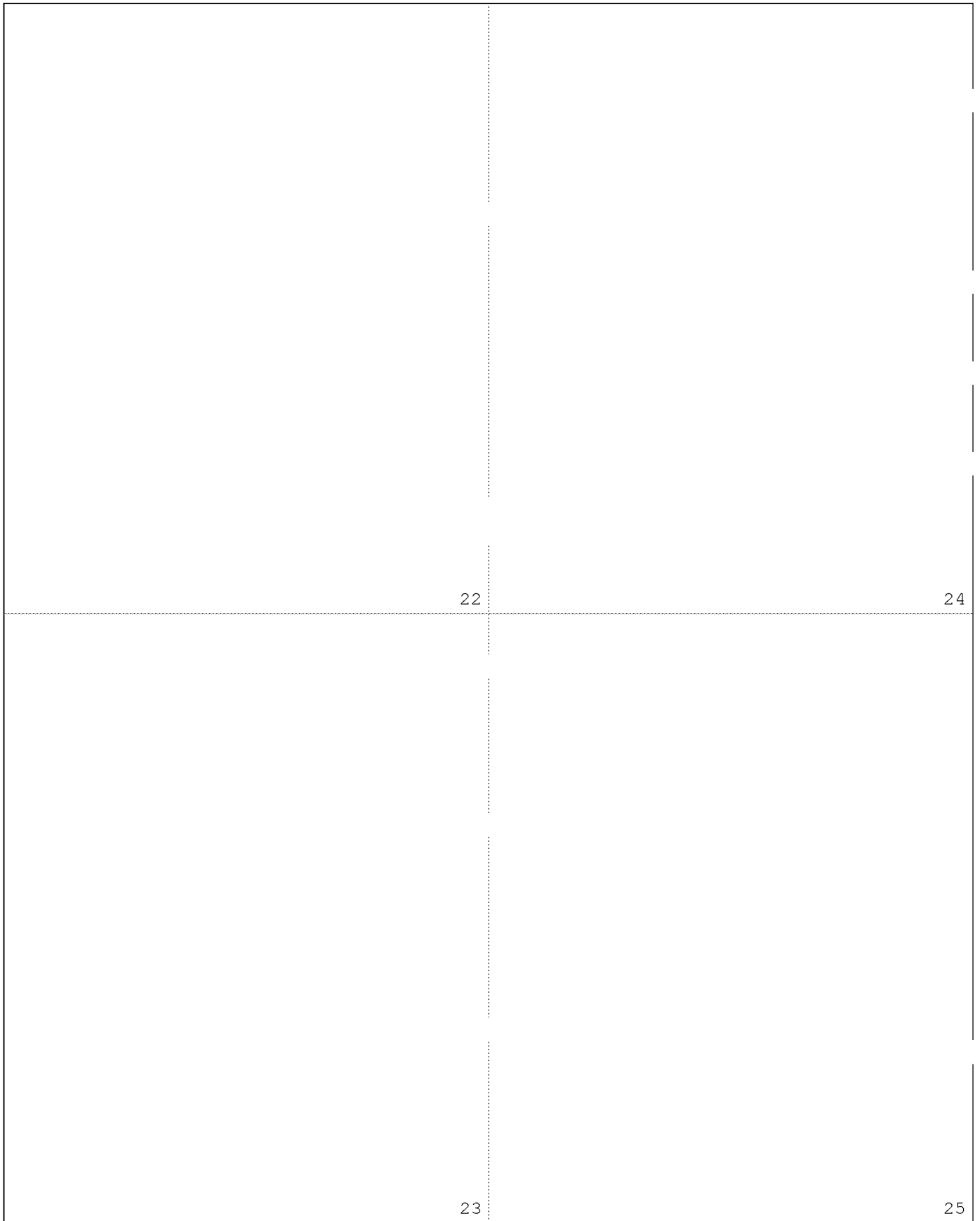
1   Street, you were quite familiar with PeopleSoft   09:17:43
2   software?   09:17:48
3   A   Yes.   09:17:49
4   Q   With respect to PeopleTools, would you, at the   09:17:52
5   time that you joined Rimini Street, rate your knowledge   09:17:56
6   of PeopleTools as being superior, average, or something   09:17:58
7   you wanted to improve?   09:18:02
8   A   I'd rate my understanding of PeopleTools to be   09:18:07
9   average.   09:18:10
10   Q   And now?   09:18:12
11   A   About the same.   09:18:15

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Pages 22 to 25

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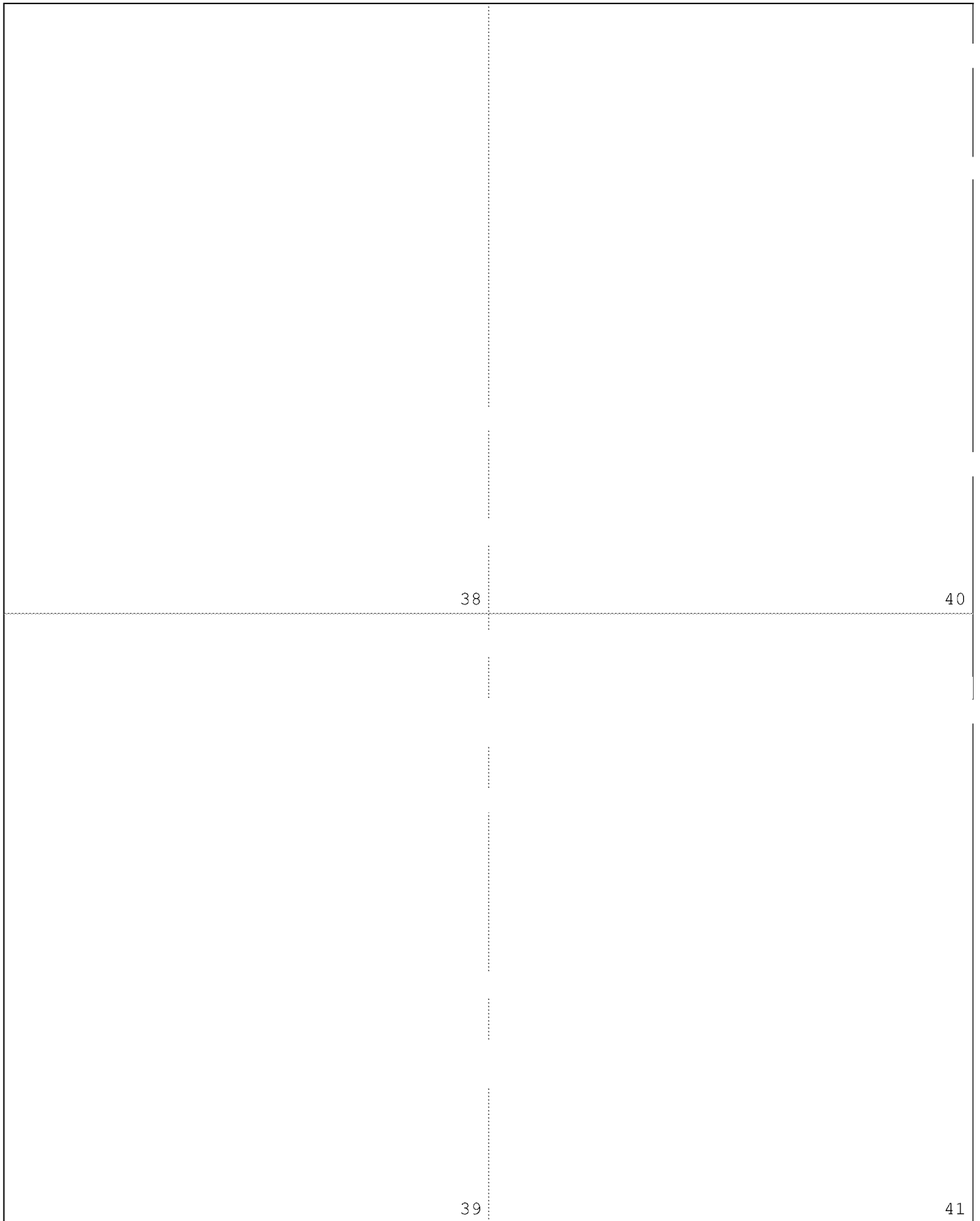|			
9	Q	And PeopleSoft HRMS is sometimes called	09:49:03
10		PeopleSoft HCM.	09:49:07
11	A	Yeah.	09:49:08

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Pages 238 to 241

1   C E R T I F I C A T E

2
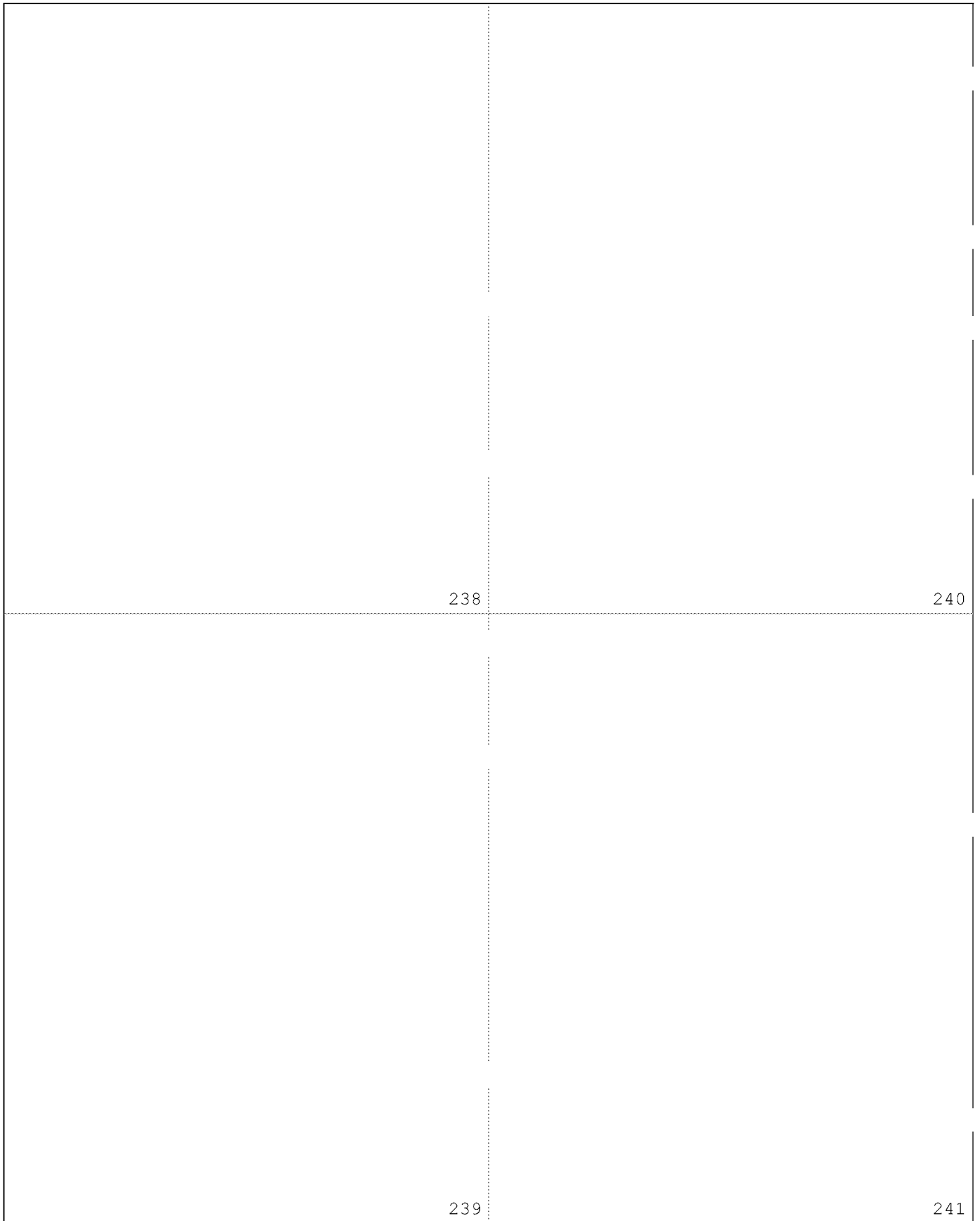
   STATE OF WASHINGTON   )

3   ) ss

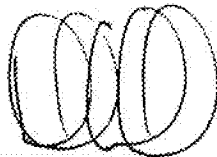   COUNTY OF KING   )

4

5   I, the undersigned Washington Certified Court

6   Reporter, hereby certify:

7   That the foregoing deposition upon oral examination

8   of the witness named herein was taken stenographically

9   before me and transcribed under my direction;

10   That the witness was duly sworn by me pursuant to

11 RCW 5.28.010 to testify truthfully;

12   That the transcript of the deposition is a full,

13 true and correct transcript to the best of my ability;

14   That I am neither an attorney for, nor a relative

15 or employee of any of the parties to the action or any

16 attorney or counsel employed by the parties hereto, nor

17 financially interested in its outcome.

18

19

20   _____

21   Donald W. McKay, RMR, CRR

22   Washington Certified Court Reporter No. 3237

23   License effective until: 07/02/2012

24

25

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